

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UMG RECORDINGS, ELEKTRA  
ENTERTAINMENT GROUP, BMG  
MUSIC, and SONY BMG MUSIC  
ENTERTAINMENT,**

**Plaintiffs,**

**v.**

**SANDRA GOSSETT,**

**Defendant.**

**CASE NO. 8:05CV302**

**JUDGMENT AND  
PERMANENT INJUNCTION**

This matter is before the Court on the parties' Stipulation to Judgment and Permanent Injunction. (Filing No. 40). I have reviewed the Complaint and Stipulation, and I make the following findings.

Plaintiffs have commenced this action alleging a violation of federal copyright laws. The Court has jurisdiction over the subject matter of this case pursuant to 28 U.S.C. §§ 1331 and 1338(a). The Defendant, Sandra Gossett, is a resident of Nebraska, and she has been served with the Summons and Complaint. (Filing No. 12). The Court may exercise of jurisdiction over the parties.

Plaintiffs have alleged that Defendant distributed (including by uploading) and/or reproduced (including by downloading) via the Internet or an online media distribution system copyrighted sound recordings owned or controlled by the Plaintiffs, without Plaintiffs' authorization, in violation of 17 U.S.C. § 501. Without admitting or denying liability, Defendant has not contested Plaintiffs' allegations, and she has acknowledged that such conduct is wrongful. By executing the Stipulation, Gossett acknowledged that she has read the Stipulation to Judgment and Permanent Injunction, the proposed Judgment

and Permanent Injunction provided to the Court, and that she has had the opportunity to have them explained by counsel of her choosing. She represents that she fully understands those documents and agrees to be bound by them.

The Court finds that Gossett has irrevocably and fully waived notice of entry of the Judgment and Permanent Injunction, and that she understands and agrees that a violation of the Judgment and Permanent Injunction may expose her to penalties provided by law, including for contempt of court. The Court finds that Gossett has waived all right to appeal this Judgment and Permanent Injunction, to have it vacated or set aside, to seek or obtain a new trial thereon, or otherwise to attack in any way, directly or collaterally, its validity or enforceability.

Pursuant to the Stipulation and Notice, the parties agree that this Court may enter a final judgment and a permanent injunction in favor of the Plaintiffs and against the Defendant. Accordingly,

IT IS ORDERED, ADJUDGED AND DECREED,

1. The Stipulation to Judgment and Permanent Injunction (Filing No. 40) is approved;
2. Judgment is entered in favor of the Plaintiffs and against the Defendant, Sandra Gossett, as follows:
  - A. Gossett shall pay to the Plaintiffs in settlement of this action the sum of \$4,160.00;
  - B. Gossett shall pay to the Plaintiffs the costs of the suit, including the filing fee and the service of process fee, in the amount of \$340.00;
  - C. Gossett is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in any sound recording, whether now in existence or later

created, that is owned or controlled by Plaintiffs, or any parent, subsidiary, or record label affiliated with Plaintiffs (hereafter "Plaintiffs' Recordings"), including without limitation by:

- i. using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the Plaintiffs' express authority; and/or
- ii. causing, authorizing, permitting, or facilitating any third-party to access the Internet or any online media distribution system through the use of an Internet connection and/or computer equipment owned or controlled by Gossett, to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of the Plaintiffs;

- D. Gossett is ordered to destroy all copies of Plaintiffs' Recordings that she, and/or any third-party that has used the Internet connection and/or computer equipment owned or controlled by Gossett, has downloaded without Plaintiffs' authorization onto any computer hard drive or server owned or controlled by her, and Gossett is ordered to destroy all copies of those downloaded recordings transferred onto any physical medium or device in her possession, custody, or control; and

3. Nothing contained in the Judgment and Permanent Injunction shall limit the Plaintiffs' right to recover damages for any and all infringements by Gossett of any right under federal copyright law or state law occurring after the date that Gossett executed the Stipulation to Judgment and Permanent Injunction; and
4. The findings of fact set forth above are incorporated into the Judgment and Permanent Injunction by this reference.

DATED this 10<sup>th</sup> day of July, 2006.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge